

031804

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Examiner K.E. Weddington  
Group Art Unit 1614

Attorney's  
Docket  
No. 64987-A/JPW/GJC

23026  
U.S. PTO

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 18, 2004

17497 U.S. PTO  
101805624

031804

S I R:

This is a request for filing a   X   CONTINUATION

       DIVISIONAL        CONTINUATION-IN-PART application under

  X   37 C.F.R. §1.53(b)        37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/938,746 filed on August 23, 2001 of

Gabriela Chiosis, Ivo G. Boneca and W. Clark Still

for

Inventor(s)

METHOD FOR RE-SENSITIZING VANCOMYCIN RESISTANT BACTERIA USING AGENTS  
WHICH SELECTIVELY CLEAVE A CELL WALL DEPSIPEPTIDE

Title of Invention

1.        Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.   X   A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27  
       is enclosed.  
  X   was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)), copy of Small Entity Statement.
3.   X   The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	7-20	=	0	X	9	18	= \$ 0	\$
Independent Claims	1-3	=	0	X	43	86	= \$ 0	\$
Multiple Dependent Claims Presented: <u>      </u> Yes <u>  X  </u> No					145	290	= \$ 0	\$
					BASIC FEE		\$ 385	\$ 770
					TOTAL FEE		\$ 385	\$

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

<sup>1</sup> filing an application pursuant to this section expressly abandons the parent application.

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Applicants: Gabriela Chiosis et al.  
Serial No.: Not Yet Known  
Filed: Herewith  
Cont.Div.  
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4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 385.00 is enclosed.
7.        Cancel claims       .
8.        Amend the specification by inserting before the first line the sentence: --This is a        continuation        division of application Serial No.       , filed       .--
9. X 21 Sheet(s) of        informal X formal drawing(s) is/are enclosed.
10.        Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11.        Priority of application No.        filed on        in        (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No.       , filed       .
12. X The prior application is assigned of record to The Trustees of Columbia University in the City of New York and The Rockefeller University
13. X A preliminary amendment
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,768); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,637); Richard F. Jaworski (Reg. No. 33,515); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershtik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923); Alan D. Morrison (Reg. No. 37,399); Alan Miller (Reg. No. 42,889); Christopher M. Ries (Reg. No. 45,799) and Frank Bruno (Reg. No. 46,583)

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Serial No.: Not Yet Known  
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- (a)   X   The power appears in the original papers in the prior application.
- (b)        Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)   X   Address all future communications to:  
(May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15.   X   Also enclosed Express Mail Certificate of Mailing No.

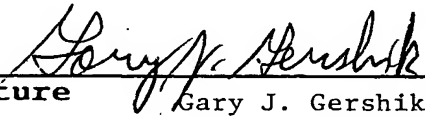
EV 305 642 472 US, dated March 18, 2004

16.        I hereby verify that the attached papers are a true copy of prior application Serial No.                      as originally filed on                                     .

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 18, 2004

Date

  
Signature

Gary J. Gershik, Reg. No. 39,992

       INVENTOR(S)  
       ASSIGNEE OF COMPLETE INTEREST  
  X   ATTORNEY OR AGENT OF RECORD  
       FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

John P. White  
Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Gabriela Chiosis et al.  
Serial No. : Not Yet Known  
Filed : Herewith  
For : METHOD FOR RE-SENSITIZING VANCOMYCIN  
RESISTANT BACTERIA WHICH SELECTIVELY CLEAVE  
A CELL WALL DEPSIPEPTIDE

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March 18, 2004

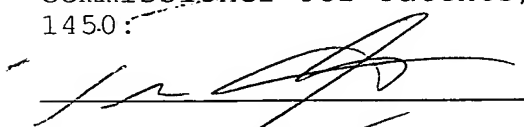
Mail Stop Patent Application  
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SIR:

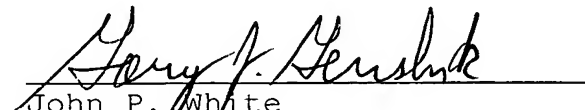
**EXPRESS MAIL CERTIFICATE OF MAILING**  
**FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: EV 305 642 472 US  
Date of Deposit: March 18, 2004

I hereby certify that this paper or fee is being deposited to the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Printed Name: 1. ISCOA

Respectfully submitted,

  
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